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GREENBERG

ORNEYS AT LAW

TRAURIG

RECEIVED

Lynda R. Vescio
Phone: (602) 445-8436

May 27, 2003

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AZ CORP COMMISSION
DOCUMENT CONTROL

VIA HAND DELIVERY

Arizona Corporation Commission
Docket Control
1200 West Washington
Phoenix, Arizona 85007

T-00000A-00-0194
T-01051B-02-0871
T-01051B-03-0092

Arizona Corporation Commission

DOCKETED

MAY 27 2003

Re: *Brecher Pro Hac Vice Application*

DOCKETED BY

CAR

Dear Clerk:

I am local counsel for Mitchell Brecher in an action pending before the Arizona Corporation Commission on behalf of Mountain Telecommunications, Inc., Docket No. T-01051b-03-0092.

I enclose a Motion And Consent Of Local Counsel For Pro Hac Vice Admission Of Mitchell F. Brecher (the "Motion"), a shareholder in the District of Columbia office of this law firm. Mr. Brecher is Mountain Telecommunications' primary counsel in this matter. Enclosed with the Motion are the requisite documents, with the exception that copies of the certificates of good standing are temporarily submitted in the stead of originals, for the reason set forth below.

The Application for Pro Hac Vice admission, and all original documentation, was originally submitted to the Arizona State Bar, and was denied because E. Jeffrey Walsh, Esq. of this law firm was listed as local counsel, but I had signed the application. The secretary who resubmitted the Application had been informed by the State Bar that she did not need to re-send original certificates of good standing. We have now learned that new original certificates of good standing are required, and the State Bar has informed us that they are unable to locate the originals that were sent to them.

In light of the May 28, 2003 hearing date, we are unable to provide the ACC with original certificates of good standing with this Motion. However, we have enclosed copies, and we will supplement the record with originals forthwith, which are being sent by courier directly to the ACC. We request the ACC's indulgence in this substitution and supplementation, and

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GREENBERG TRAURIG, LLP

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AMSTERDAM ATLANTA BOCA RATON BOSTON CHICAGO DENVER FORT LAUDERDALE LOS ANGELES MIAMI NEW JERSEY NEW YORK ORLANDO
PHILADELPHIA PHOENIX TALLAHASSEE TYSONS CORNER WASHINGTON, D.C. WEST PALM BEACH WILMINGTON ZÜRICH

request that the *pro hac vice* Motion be granted so that Mountain Telecommunications may be appropriately represented in this matter.

Very truly yours,



Lynda R. Vescio

Cc: Mitchell Brecher, Esq.

Timothy Berg
FENNEMORE CRAIG
3003 North Central Avenue
Suite 2600
Phoenix, AZ 85012

QWEST Corporation
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Denver, CO 80202

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Michel Singer Nelson
AT&T
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Room 1575
Denver, CO 80202-1847

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Communications, Inc. and New Edge Networks

Thomas H. Campbell
LEWIS & ROCA
40 North Central Avenue

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Phoenix, AZ 85007
Attorneys for Rhythms Links, Inc. and Time Warner Telecom of Arizona, LLC

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Director-Regulatory Relations

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2003 MAY 27 P 3:14

AZ CORP COMMISSION
DOCUMENT CONTROL

7 Lynda R. Vescio, SBN 022074

8 CORPORATION COMMISSION

9 STATE OF ARIZONA

Arizona Corporation Commission

DOCKETED

MAY 27 2003

DOCKETED BY

CM

10 MARC SPITZER
11 CHAIRMAN
12 MIKE GLEASON
13 COMMISSIONER
14 JEFF HATCH-MILLER
15 COMMISSIONER
16 JIM IRVIN
17 COMMISSIONER
18 WILLIAM A. MUNDELL
19 COMMISSIONER

20 IN THE MATTER OF THE GENERIC
21 INVESTIGATION INTO U S WEST
22 COMMUNICATIONS, INC.'S NKA QWEST
23 CORPORATION COMPLIANCE WITH
24 CERTAIN WHOLESALE PRICING
25 REQUIREMENTS AND RESALE DISCOUNTS

DOCKET NO. T-00000A-00-0194

and

26 ARIZONA CORPORATION COMMISSION
Complainant,

DOCKET NO. T-01051B-02-0871

and

vs.

27 QWEST CORPORATION,
Respondent

28 MOUNTAIN TELECOMMUNICATIONS, INC.
Complainant,

DOCKET NO. T-01051B-03-0092

vs.

29 QWEST CORPORATION,
Respondent

MOTION AND CONSENT OF
LOCAL COUNSEL FOR PRO
HAC VICE ADMISSION OF
MITCHELL F. BRECHER

1 The above-named attorney, pursuant to Rule 33(c) and (d) Rules of the Supreme
2 Court, moves the court to admit Mitchell F. Brecher as counsel *pro hac vice* in this action.

3 Pursuant to Rule 33(d) Rules of the Supreme Court, the following exhibits are
4 attached hereto:

- 5 1. the original Verified Application;
6 2. copies of the original Certificates of Good Standing¹; and
7 3. the State Bar of Arizona Notice of Receipt.

8 The filing fee as required by Rule 33(d) has been submitted to the State Bar of
9 Arizona. Lynda R. Vescio hereby agrees to serve as designated local counsel for the
10 subject case. A proposed order admitting Mitchell F. Brecher accompanies this motion.

11
12 DATED this 27th day of May, 2003.

13 GREENBERG TRAURIG

14
15
16 By: Lynda R. Vescio
17 Lynda R. Vescio
18 Attorneys for Complainant
19 Mountain Telecommunications, Inc.
20
21
22
23

24 ¹ As explained in more detail in the accompanying letter of Lynda R. Vescio, Esq., we
25 request the Corporation Commission's indulgence in accepting copies at this time. The
26 record will be supplemented with the original certificates of good standing, which are
being sent by courier directly to the ACC.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Motion and Consent of Local Counsel for Pro Hac Vice Admission of Mitchell F. Brecher on all parties of record in these proceedings by mailing a copy thereof, properly addressed with first class postage prepaid to the following:

Timothy Berg
FENNEMORE CRAIG
3003 North Central Avenue
Suite 2600
Phoenix, AZ 85012

QWEST Corporation
1801 California Street
Suite 5100
Denver, CO 80202

Richard S. Wolters
Michel Singer Nelson
AT&T
1875 Lawrence Street
Room 1575
Denver, CO 80202-1847

Michael W. Patten
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400 East Van Buren Street
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Phoenix, AZ 85004
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Stephen H. Kukta
- 4 SPRINT COMMUNICATIONS CO.
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- 5 7th Floor
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- 6
- 7 Scott S. Wakefield
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- 8 Suite 1200
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- 9
- 10 Raymond S. Heyman
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- 12 Phoenix, AZ 85004
- 13 Jeffrey W. Crockett
Jeffrey B. Guldner
- 14 SNELL & WILMER
One Arizona Center
- 15 Phoenix, AZ 85004-2202
- 16 Mary E. Steele
DAVIS WRIGHT TREMAINE LLP
- 17 2600 Century Square
1501 Fourth Avenue
- 18 Seattle, WA 98101-1688
Attorneys for AT&T Communications of the Mountain States, Inc.
- 19
- 20 Marti Allbright
MPOWER COMMUNICATIONS
5711 South Benton Circle
- 21 Littleton, CO 80123
- 22 Kevin Chapman
Director-Regulatory Relations
- 23 5800 Northwest Parkway
Suite 125, Room I-S-20
- 24 San Antonio, TX 78249
- 25
- 26

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4 City Center Building
5 1401 H Street, NW
6 Suite 8000
7 Washington, D.C. 20530

8 Lyndon J. Godfrey
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13 Christopher Kempsey, Chief Counsel
14 LEGAL DIVISION
15 1200 West Washington Street
16 Phoenix, AZ 85007

17 Ernest G. Johnson, Director
18 UTILITIES DIVISION
19 1200 West Washington Street
20 Phoenix, AZ 85007

21 By *Marie E. Gueby*
22
23
24
25
26



For Official Use Only

App# 1000383

Pro Hac ID # 247043

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: Mitchell F. Brecher

Residence Address: 31 Hollyberry Court, Rockville, MD 20852

Office Address: 800 Connecticut Avenue, NW -- Suite 500 -- Washington, D.C. 20006

Telephone: (202) 331-3152

Fax: (202) 261-0152

Title of cause or case where applicant seeks to appear: Qwest Corporation

Docket Number: T-00000A-00-0194, T-01051B-02-0871, and T-01051B-03-0092

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Mountain Telecommunications, Inc.

Courts to Which Applicant Has Been Admitted:

Court of Appeals of Maryland

Court of Appeals of the District of Columbia

Supreme Court of the United States

U.S. Court of Appeals, District of Columbia Circuit

U.S. District Court for the District of Columbia

Date of Admission:

December 1973

May 1975

May 1978

March 1982

August 1981

Bar Number:

210781

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (**select one**) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where

Discipline Matter Pending:

Nature of Matter

Under Investigation:

Name / Address of

Disciplinary Authority:

Applicant ☐ has / ☒ has not (**select one**) been disciplined by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:

Docket #:

Court or Agency:

Application Granted? (Y/N)

Name of local counsel: Lynda R. Vescio

State Bar of Arizona Number: 022074

Address: 2375 East Camelback Road, Phoenix, AZ 85016

Telephone : (602) 445-8000

Fax: (602) 445-8100

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest</u>	<u>Timothy Berg</u>	<u>3003 North Central Avenue, Phoenix, AZ 85012</u>
<u>AT&T</u>	<u>Richard S. Wolters</u>	<u>1875 Lawrence Street, Denver, CO 80202-1847</u>
<u>ACC Staff</u>	<u>Maureen Scott</u>	<u>1200 West Washington, Phoenix, AZ 8007-2996</u>
<u>Time Warner</u>	<u>Thomas H. Campbell</u>	<u>40 North Central Avenue, Phoenix, AZ 85007</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$348.50.

This case or cause ☐ is / ☒ is not (**select one**) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

~~STATE OF~~ Washington)
~~County of~~ District of Columbia) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

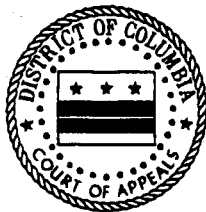
Dated: 5/20/03

Applicant's signature

SUBSCRIBED AND SWORN TO before me this 20th day of May, 2003, by
Mitchell Brecker
Name of Applicant

Dawn J. Clark
Notary Public

DAWN J. CLARK
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires: 5/31/2004



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202/879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MITCHELL F. BRECHER

was on the 5th day of March, 1975,
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name and
affixed the seal of this Court
at the City of Washington, D.C.
this 14th day of
March, 2003.

GARLAND PINKSTON, JR., CLERK

By: *Ruby Al*
Deputy Clerk

**Court of Appeals
of Maryland**

Annapolis, MD



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the 13th day of December, 1973,

MITCHELL FREDERICK BRECHER

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, I have hereunto set
my hand as Clerk, and affixed the Seal of the
Court of Appeals of Maryland, this 14th
day of March, 2003.


Clerk of the Court of Appeals of Maryland

1 **Arizona Corporation Commission**

2
3 Qwest Corporation,)
4 Plaintiff,) CASE #T00000A 00 0194
5 v.) SBA App # 1000383
6)
7 Defendant.) **NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

8
9 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
10 received the verified application and fee from Mitchell F. Brecher.

11 In addition to this application, applicant has made the following applications to appear
12 pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no

17
18 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
19 Good Standing are attached hereto.

20 DATED this 23rd day of May, 2003

21 Marie Ruch
22 Marie Ruch
23 Membership Records
24 State Bar of Arizona

25 Original Mailed on
This 23rd day of May, 2003 to:
Ms. Lynda R. Vescio
2375 E. Camelback Rd
Phoenix, AZ 85016-0001